

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

EVER JOSELIN AREVALO,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 3:04-cv-00568-ECR-VPC

CRAIG FARWELL, et al.,

Respondents.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that a conditional writ of habeas corpus shall be GRANTED, such that the judgment of conviction will be vacated and petitioner unconditionally released unless counsel is promptly made available for petitioner in the state proceedings and, within one hundred and twenty (120) days of entry of this order, petitioner is resentenced before a different judge with the benefit of the psychosexual evaluation required by the plea agreement and a new or amended judgment of conviction is entered in the state court. If an appeal is taken, the one hundred and twenty (120) day period referenced above shall run, subject to the order of a higher court on review, from the later of entry in this Court of the order on mandate or the conclusion of any proceedings on a petition for a writ of *certiorari*, including the expiration of any period for seeking rehearing therefrom.

March 25, 2008

LANCE S. WILSON
Clerk

/s/ Kalani Lizares
Deputy Clerk